

**REMARKS**

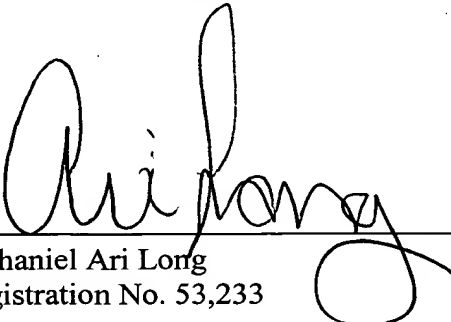
Claims 1 – 28, 30, and 31 are pending in the application. In the Amendment, independent Claim 1 has been amended to more clearly recite that unrestricted playback selection information is received when the previously recorded music selection has been played a predetermined number of times. The other independent claims, Claims 10, 26 – 28, and 31, have been amended to more clearly recite that unrestricted playback selection information is communicated when the previously recorded music selection has been played a predetermined number of times.

Applicant respectfully submits that the art of record, including Schulhof et al. and Neville et al., does not teach or suggest receiving or communicating unrestricted playback selection information regarding a previously recorded music selection when the previously recorded music selection has been played a predetermined number of times at a customer location.

The remainder of the pending claims all depend, either directly or indirectly, from one of the amended independent claims. Accordingly, the examiner is respectfully urged to reconsider the application and issue a Notice of Allowance.

Should the examiner wish to discuss any aspect of the application, he is respectfully invited to call Applicant's undersigned attorney at 206 332-1385 to resolve any outstanding issues.

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